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**ILLINOIS COMMERCE COMMISSION**

UNITED TRANSPORTATION UNION,  
ILLINOIS STATE LEGISLATIVE BOARD

Petition for rulemaking to require safe walkways for railroad employees in the state.

T03-0015

**MOTION TO EXTEND SCHEDULE**

Norfolk Southern Railway Company (“NSRC”), Illinois Central Railroad Company, Grand Trunk Western Railroad Incorporated, Chicago, Central & Pacific Railroad Company, Wisconsin Central Ltd., and Wisconsin Chicago Link LTD. (collectively the “Joint Movants”), by and through their undersigned attorneys, hereby respectfully move for a 30-day continuance of the evidentiary hearing in this matter, currently scheduled for July 17, 2003. In support of this Motion, the Joint Movants state as follows:

1. On February 13, 2003, the United Transportation Union (“UTU”) filed a petition for rulemaking to require safe walkways for railroad employees in the state with the Rail Safety Section of the Illinois Commerce Commission (“Commission”). The matter was docketed as T 03-0015.

2. A pre-hearing conference was held at the Chicago offices of the Commission on April 22, 2003. During the pre-hearing conference, a request for a sixty day extension of time was made by the participants for the purpose of trying to reach a resolution of

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the issues raised in the petition filed by UTU. Administrative Law Judge June B. Tate (the "ALJ") granted the request for the sixty-day extension and set a status hearing for June 24, 2003.

3. At the June 24, 2003 status hearing, the ALJ was advised that the parties were continuing to negotiate in an attempt to resolve the disputed issues, and a request was made for an additional thirty-day extension of time. The ALJ granted the request for an additional thirty days and set the matter over for an evidentiary hearing on July 17, 2003.

4. Since that time, all parties to the instant proceeding have engaged in good faith negotiations in an attempt to resolve the disputed issues. In fact, as recently as July 1, 2003, the parties were engaged in the process of exchanging draft documents and attempting to negotiate the unresolved issues. Despite the best efforts of all the participants, it appears there are issues that will not be resolved to the satisfaction of all the interested parties.

5. In anticipation of participating in a full-blown evidentiary hearing, NSRC has recently retained legal counsel and the Joint Movants are in the process of interviewing and retaining witnesses to assist in their presentations. However, the extensive pre-trial preparation cannot be accomplished within the remaining time available prior to the scheduled July 17, 2003, evidentiary hearings. Therefore, the Joint Movants request that the evidentiary hearing be rescheduled for 30 days to August 21, 2003.

6. The Joint Movants have discussed this proposed extension with the representatives of the remaining rail carriers that have participated in this proceeding, and they have authorized counsel for the Joint Movants to represent to the Commission and the ALJ that they support this request. The Joint Movants have also informed UTU of this proposed

extension, but UTU has not affirmed a position on this request as of the time of the filing of this Motion.

7. No party will be prejudiced by the granting of this Motion.

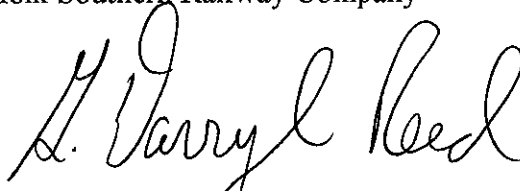
WHEREFORE, the Joint Movants respectfully request an extension of the scheduled hearing date to August 21, 2003, and any and all other appropriate relief.

Dated: July 10, 2003

Respectfully submitted,

Norfolk Southern Railway Company

By:

A handwritten signature in black ink, appearing to read "G. Darryl Reed". The signature is written in a cursive, flowing style.

One of its Attorneys

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Respectfully submitted,

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Western Railroad Incorporated, Chicago, Central  
& Pacific Railroad Company, Wisconsin Central  
Ltd., and Wisconsin Chicago Link Ltd.

By:  (2002)

One of their Attorneys

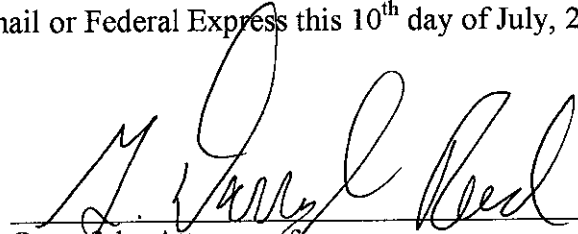
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**CERTIFICATE OF SERVICE**

I, G. Darryl Reed, an attorney, certify that I caused copies of the attached Notice of Filing and Motion to Extend Schedule to be served on each of the parties listed on the service list by mail, messenger, electronic mail or Federal Express this 10<sup>th</sup> day of July, 2003.



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